



**CITY OF MOLALLA
CITY COUNCIL REGULAR MEETING
AGENDA**

Civic Center | 315 Kennel Avenue
Wednesday, November 13, 2024 | 7:00 PM

NOTICE: City Council will hold this meeting in-person and through video Live-Streaming on the City's Facebook Page and YouTube Channel. Written comments may be delivered to City Hall or emailed to recorder@cityofmolalla.com. Submissions must be received by 12:00 p.m. the day of the meeting.

[This institution is an equal opportunity employer.](#)

- 1. CALL TO ORDER AND FLAG SALUTE**
- 2. ROLL CALL**
- 3. CONSENT AGENDA**
 - A. [City Council Meeting Minutes - October 23, 2024](#)
- 4. PRESENTATIONS, PROCLAMATIONS, CEREMONIES**
- 5. PUBLIC COMMENT**
- 6. PUBLIC HEARINGS**
- 7. ORDINANCES AND RESOLUTIONS**
 - A. [Resolution No. 2024-23: Updating Public Contracting Rules \(Corthell\)](#)
- 8. GENERAL BUSINESS**
 - A. [Molalla River School District - Negotiation Update \(Huff\)](#)
- 9. STAFF COMMUNICATION**
- 10. COUNCIL COMMUNICATION**

RECESS INTO EXECUTIVE SESSION

Held pursuant to Oregon Public Record Law, ORS 192.660(2): (e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

- 11. RECONVENE REGULAR SESSION**
- 12. ADJOURN**



CITY OF MOLALLA

Staff Report

Agenda Category: CONSENT AGENDA

Agenda Date: Wednesday, November 13, 2024

Submitted by: Christie Teets, City Recorder

Approved by: Dan Huff, City Manager

SUBJECT: City Council Meeting Minutes - October 23, 2024

RECOMMENDATION/RECOMMENDED MOTION:

Approve Consent Agenda items.

ATTACHMENTS:

[10.23.24 City Council Meeting Minutes](#)



City of Molalla
City Council - Regular Meeting
Minutes – October 23, 2024
Molalla Civic Center | 315 Kennel Ave. | Molalla, OR

CALL TO ORDER

The Molalla City Council Meeting of October 23, 2024 was called to order by Mayor Scott Keyser at 7:00pm.

Message from Christie Teets, City Recorder: Molalla Communications facing internet issues, the City will proceed with tonight's meeting regardless of disruptions. Minutes be will available at the next City Council meeting.

COUNCIL ATTENDANCE

Present: Council President Jody Newland, Councilor Leota Childress, Councilor Terry Shankle, Councilor Eric Vermillion, Councilor RaeLynn Botsford, and Councilor Darci Lightner, Mayor Scott Keyser.

STAFF IN ATTENDANCE

Dan Huff, City Manager; Mac Corthell, Assistant City Manager; Christie Teets, City Recorder, Diana Hadley, Library Director; Cindy Chauran, Finance Director, and Kevin from the Chamber of Commerce (our Jack-o-Lantern Friend)

APPROVAL OF AGENDA

Approved as presented.

CONSENT AGENDA

A. City Council Meeting Minutes – October 09, 2024

ACTION:

Councilor Childress moved to approve the Consent Agenda; Councilor Vermillion seconded. Motion passed 7-0.

AYES: Vermillion, Shankle, Childress, Newland, Botsford, Lightner, Keyser

NAYS: None.

ABSENTIONS: None.

EXECUTIVE SESSION ANNOUNCEMENT

Mayor Scott Keyser made an announcement that prior to the regular City Council meeting, an Executive Session had been held pursuant to Oregon Public Record Law, ORS 192.660(2): (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Mayor Keyser provided a Executive Session Announcement: The City of Molalla has leased Fox Park and the Molalla Public Library from the Molalla River School District since 1998, with the lease expiring in March 2025. The City Council will address this issue in future Public Meetings.

PRESENTATIONS, PROCLAMATIONS, CEREMONIES

A. Library Board Appointment

Library Director Hadley recommended Council to appoint Judy Loucks, from Colton, to the Library Board. Mrs. Loucks informed the Council she's lived in Colton for about 8 years, has facilitated the bookmobile's space at the Colton Community Closet. A passionate library user expressed her enthusiasm for serving on the Library Board.

ACTION:

Council President Newland motioned to appoint Judy Loucks to Library Board. Councilor Botsford seconded. Motion passed 7-0.

AYES: Vermillion, Shankle, Childress, Newland, Botsford, Lightner, Keyser

NAYS: None.

ABSENTIONS: None.

PUBLIC COMMENT

Peggy Smith, Molalla: thanked Council for fixing their street but expressed concerns about safety on Section Street, where stop signs were removed and placed in opposite direction, leading to dangerous speeding. She urged Council to reconsider stop sign position, address safety hazards, and current traffic situations.

PUBLIC HEARINGS

None.

ORDINANCES AND RESOLUTIONS

None.

GENERAL BUSINESS

A. Quarterly Report – Finance Department

Finance Director Chauran provided a Quarterly Report highlighting the Finance Department's full staffing and performance, showcasing individual contributions and the department's busy workload, particularly in Court. A table in document illustrated quarterly expenses, confirming all are aligned with expectations.

Mayor Keyser mentioned the importance of transparency in presenting the PD Bond Expenditures. City Manager Huff confirmed information is available on the City's website and the Molalla Current.

B. Special Event Permits - Application & Process Update

City Manager Huff began the Staff Report centered on the City's policy regarding Special Event Permit. He explained a recent insurance audit revealed that requiring insurance writers to name the City as insured for events on private property is unnecessary. As a result, the City will NO longer impose insurance requirements for Private Property Events (a Permit is still a requirement, a Certificate of Insurance is not). The existing process for public events, such as reserving pavilions at Clark/Fox Park, will remain unchanged. After a brief Council discussion Mr. Huff recommended continued discussion or potential changes to the Special Event process be added to the Goal Setting session in January 2025.

PUBLIC COMMENT

Jackie Sue McCoy, Molalla: addressed community concerns about larger venue events, particularly at the Buckaroo, highlighting issues and community complaints such as: concert noise, drag racing, littering, and traffic congestion from, for example, concerts held at Buckaroo and parking at Bohlander field. Further, expressing residents feel impacted especially for events on school/work nights.

City Manager Huff commented during discussion (not Public Comment) while there are occasional complaints, they are limited. He pointed out if residents are not reporting issues, it makes it difficult for the City to address community concerns successfully. Mr. Huff stressed the importance of communication to the City directly.

Cristy Gilmer, Molalla: shared her experience regarding a permit issue. She was unaware of permit requirements on Private Property, which led to negative comments on a large social platform. She recounted that she quickly sought clarification from the City, then thanked the City for its supportive response. She noted a permit was obtained but overall felt the criticism she and others faced was unjustified; suggested City address permitting concerns.

Mayor Keyser asked City Recorder Teets about information being posted on the new City Website, which is currently in progress. Ms. Teets stated this requirement has been part of City code since 1992 and information has been available at City Hall and on the City's Website since that time.

STAFF COMMUNICATION

- **Library Director Hadley:** directed the Council to the infographics for 2023/24 in Agenda Packet, highlighting visitor numbers, borrowed items, increase in digital checkouts, and program attendance. She praised the staff for their outstanding work, event planning skills, and noting that staff dedication is inspiring.
- **Finance Director Chauran:** Remarked Finance Audit was complete, hopeful to present to Council in near future.
- **Assistant City Manager Corthell:** (handed documents to Staff and Council) discussed new mandates from entities such as the EPA, DEQ, and Oregon Health Authority regarding Lead Service Line Inventory for Water Utilities. Requirements demand the identification of service lines, especially in older towns where record-keeping practices were insufficient. Molalla is tasked with inventorying approximately 3,500 service lines, 2,300 have been inventoried, and the City found no Lead in the 350 lines tested. However, 1,000 remaining lines need assessment. Residents were mailed notices indicating their service lines are unverified, along with potential risks associated with Lead. The notice included instructions and the City offering a \$50 rebate for information. Mr. Corthell reassured attendees and viewers the situation does not indicate a lead problem in Molalla! Explaining inspection is a common requirement for older water systems nationwide. Questions or guidance reach out to Katelynn Niece, Water Treatment Manager, (kniece@cityofmolalla.com). Councilor Botsford commented on the Community Development Report and the impact of Code Officer, Murphy, pointing out in the first quarter, there were 134 new cases opened and 123 closed, reflecting on the challenges faced prior to having a compliance officer. She commended Mr. Murphy's success.
- **City Recorder Teets:** Reminded all Goal Setting is scheduled Saturday, January 11th, noting that some would be on vacation in January but emphasized the importance of attendance. Additionally, announcing upcoming elections, reminding everyone to check their mail for ballots, and encouraged those who have not received ballots to contact Clackamas County Elections Office for assistance.
- **City Manager Huff:** reminded the Council of their goal to update the Vision and Action Plan from a previous Goal Setting session. He highlighted the significant changes in the community since the plan was created and noted that funding for this update is included in the current Budget. He reconnected with the original organizer of the Vision and Action Plan at the recent LOC Conference and assured Council progress on an update will soon begin.

COUNCIL COMMUNICATION

- **Councilor Lightner:** No Report
- **Councilor Botsford:** Reminded Halloween Downtown Trick-or-Treating from 430-730p. Fourth Friday is also coming up. She also noted: City does not conduct business on social media; ways to engage with City are Council Meetings, emails, in-person at City Hall, etc.
- **Councilor Vermillion:** A local family in the community was displaced due to house fire and the response from the community is remarkable. He complemented and thanked the community and asked to keep a look out for the family dog, the dog is still missing but did escape fire. Description: Tri colored dog, mixed breed, short hair, erect ears, 20-30 lbs., photo on Facebook.
- **Councilor Shankle:** No Report
- **Councilor Childress:** No Report
- **Council President Newland:** Parks CPC had another successful Krispy Kreme sale, selling 80 dozen donuts and raising nearly \$970 in three hours. Fundraisers will be listed on Molalla Park CPC Facebook page. She also stressed the importance of voting as a privilege and a responsibility. Sharing she would be attending the next meeting virtually as she will be in Idaho caring for new grandbaby. Congratulations Council President!
- **Mayor Scott Keyser:** Thanked Council President Newland for covering during his absence due to COVID. He emphasized the importance of early voting. He encouraged thorough research on Ballot Measures. Mayor expressed hope for a prominent voter turnout and reminded everyone about back-to-back meetings in November.

Both he and Council President Newland added commented on various Ballot Drop Box locations. *Director Hadley informed of altered traffic pattern at Library, signs will direct entrance from the easternmost driveway for easier access*

ADJOURN

Mayor Keyser adjourned the City Council meeting at 7:57pm.

For the complete video account of the City Council Meeting, please go to [YouTube](#)

“Molalla City Council Meetings – October 09, 2024”

Scott Keyser, Mayor

PREPARED BY:

Crystal Robles, Records Specialist

ATTEST:

Christie Teets, CMC, City Recorder

Meeting Minute Attachments:

- Notice Regarding Lead Service Line Materials (English & Spanish)



Subject: Important Notice Regarding Lead Service Line Materials

Dear City of Molalla Water User,

The City of Molalla recently completed a Lead Service Line Inventory as required by the Environmental Protection Agency (EPA) and the Oregon Health Authority (OHA). This inventory helps ensure that our community's water system remains safe and compliant with current regulations regarding lead in drinking water.

Why am I Receiving this Letter?

As part of the process required by the EPA and OHA, the City is required to inform you that, at this time, we do not have complete information regarding the material of your service line. However, we are pleased to report that no lead service lines have been found during our inventory to date. We will continue to verify the material of service lines, and this notice is part of our effort to keep you informed.

What do I Need to Know?

- **Potential Risks:** Although we have not detected any lead service lines so far, we cannot yet confirm the material of your service line at this time. If a service line is found to contain lead, there is risk of lead exposure. Lead is a serious health concern, especially for pregnant women and young children. Exposure to lead can result in developmental issues, learning disabilities, and behavioral problems in children, as well as kidney damage or high blood pressure in adults.
- **Our Commitment:** We are committed to identifying the material of your service line. If we determine that your line is made of lead or is at risk, we will notify you promptly with the next steps, including guidance on minimizing exposure.

What Can I do?

To further reduce any potential risk while we complete our investigations you can:

- **Flush your Taps:** Run cold water for at least 30 seconds to 2 minutes before using it for drinking or cooking.
- **Use Cold Water:** Always use cold water for drinking, cooking, and preparing baby formulas, as hot water can leach more lead.
- **Test Your Water:** Consider testing your tap water for lead if you have concerns.
- **Submit Service Line Material Information or Hire a Plumber:** You can either determine the material of your service line yourself or hire a licensed plumber for a professional inspection. In either case, once the required documentation is submitted, you will be eligible for a \$50 credit on your water bill. Detailed instructions for both options are included in the "**Optional Instructions for Service Line Material Reporting**" document included with this notice.

We will continue to update you as we gather more information and take further action. You will receive this notification annually until we confirm your service line material. If you have any questions or concerns, please contact us at 503-829-5408 or kniece@cityofmolalla.com

Thank you for your cooperation as we continue to prioritize the safety and quality of our communities drinking water.

Sincerely,

Katelynn Niece
Water Treatment Manager
City of Molalla Water Department

Sujeto: Aviso Importante Sobre los Materiales de la Línea de Servicio con Plomo



Estimado usuario de agua de la ciudad de Molalla,

La ciudad de Molalla completó recientemente un Inventario de líneas de servicio de plomo según lo exigen la Agencia de Protección Ambiental (EPA) y la Autoridad de Salud de Oregón (OHA). Este inventario ayuda a garantizar que el sistema de agua de nuestra comunidad siga siendo seguro y cumpla con las regulaciones actuales sobre el plomo en el agua potable.

¿Por qué recibo esta carta?

Como parte del proceso requerido por la EPA y la OHA, la Ciudad debe informarle que, en este momento, no tenemos información completa sobre el material de su línea de servicio. Sin embargo, nos complace informar que hasta la fecha no se han encontrado líneas de servicio de plomo durante nuestro inventario.

Continuaremos verificando el material de las líneas de servicio y este aviso es parte de nuestro esfuerzo por mantenerlo informado.

¿Qué necesito saber?

- **Riesgos potenciales:** Aunque hasta ahora no hemos detectado ninguna línea de servicio de plomo, todavía no podemos confirmar el material de su línea de servicio en este momento. Si se descubre que una línea de servicio contiene plomo, existe riesgo de exposición al plomo. El plomo es un grave problema de salud, especialmente para las mujeres embarazadas y los niños pequeños. La exposición al plomo puede provocar problemas de desarrollo, problemas de aprendizaje y problemas de conducta en los niños, así como daño renal o presión arterial alta en los adultos.
- **Nuestro Compromiso:** Nos comprometemos a identificar el material de su línea de servicio. Si determinamos que su línea está hecha de plomo o está en riesgo, le notificaremos de inmediato con los siguientes pasos, incluida la orientación para minimizar la exposición.

¿Qué puedo hacer?

Para reducir aún más cualquier riesgo potencial mientras completamos nuestras investigaciones, usted puede:

- **Descargue sus grifos:** deje correr agua fría durante al menos 30 segundos a 2 minutos antes de usarla para beber o cocinar.
- **Utilice agua fría:** utilice siempre agua fría para beber, cocinar y preparar fórmulas para bebés, ya que el agua caliente puede filtrar más plomo.
- **Pruebe su agua:** considere analizar el agua del grifo en busca de plomo si tiene dudas.
- **Enviar información sobre el material de la línea de servicio o contratar a un plomero:** puede determinar usted mismo el material de su línea de servicio o contratar a un plomero autorizado para una inspección profesional. En cualquier caso, una vez enviada la documentación requerida, será elegible para un crédito de \$50 en su factura de agua. Las instrucciones detalladas para ambas opciones se incluyen en el documento "Instrucciones opcionales para el informe de materiales de la línea de servicio" incluido con este aviso.

Continuaremos actualizándolo a medida que recopilemos más información y tomemos más medidas. Recibirá esta notificación anualmente hasta que confirmemos el material de su línea de servicio. Si tiene alguna pregunta o inquietud, comuníquese con nosotros al 503-829-5408 o kniece@cityofmolalla.com

Gracias por su cooperación mientras continuamos priorizando la seguridad y la calidad del agua potable de nuestra comunidad.

Atentamente,

Katelynn Niece | Gerente de Tratamiento de Agua | Departamento de Agua de la ciudad de Molalla



CITY OF MOLALLA

Staff Report

Agenda Category: ORDINANCES AND RESOLUTIONS

Agenda Date: Wednesday, November 13, 2024

Submitted by: Mac Corthell, Assistant City Manager

Approved by: Dan Huff, City Manager

SUBJECT: Resolution No. 2024-23: Updating Public Contracting Rules (Corthell)

RECOMMENDATION/RECOMMENDED MOTION:

Adoption.

Recommended motion: I move that the Molalla City Council adopt Resolution No. 2024-23, A Resolution of the City of Molalla, Updating Public Contracting Rules.

BACKGROUND:

In April 2024, the legislature passed SB 1047 which, in pertinent part, updated the procurement thresholds for public contracting. The City's existing contracting resolution matched the prior state thresholds, this resolution updates that policy to keep the dollar thresholds consistent with the updated state law.

ATTACHMENTS:

[Res 2024-23 Updating Public Contracting Rules.pdf](#)



RESOLUTION NO. 2024-23

A RESOLUTION OF THE CITY OF MOLALLA, OREGON UPDATING PUBLIC CONTRACTING RULES

WHEREAS, The Oregon Public Contracting Code is codified in ORS chapters 279, 279A, 279B, and 279C; and

WHEREAS, The Oregon Attorney General has adopted Model Rules for Public Contracting codified in OAR 137, divisions 46, 47, 48, and 49; and

WHEREAS, The Code and Model Rules apply to all public contracts advertised or executed after March 1, 2005; and

WHEREAS, The Code and Model Rules allow local governments to adopt contracting rules different from or in addition to those in the Model Rules so long as they are consistent with the Code.

Now, Therefore, the City of Molalla Resolves:

SECTION 1. PUBLIC CONTRACTING RULES FOR THE CITY OF MOLALLA

1. General Provisions

1.1. Except as provided within these rules, public contracting by the City of Molalla is governed by the Oregon Public Contracting Code and the Oregon Attorney General's Model Rules.

1.2. The Molalla City Council is the City's Contract Review Board (Board). Except as otherwise provided in these rules, the powers and duties of the Board under the Code and Model Rules will be exercised by the Board and the powers and duties given or assigned to contracting agencies by the Code or Model Rules will be exercised by the City Manager acting as the City's contracting agent.

1.3. For the purposes of these rules, "City Manager" means the City Manager for the City of Molalla, or their designee.

2. Personal service contracts

2.1. "Personal service contract" means a contract for personal or professional services performed by an independent contractor, primarily for the provision of services that require specialized technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to, the services of attorneys, accounting and auditing services, information technology services, planning and development services, artists, designers, performers, property managers and consultants. The City Manager has discretion to determine whether a particular contract or service falls within this definition. For the purposes of this section, personal services contracts do not include such contracts for architectural, engineering and land surveying services. The procedures for those contracts are found in the Model Rules, OAR 137, division 48.

2.2. **Formal Selection.** The following formal selection procedure will be used when the estimated payment to the personal services contractor exceeds \$250,000.

2.2.1. Announcement. The City will give notice of its intent to procure personal services through any means the City deems appropriate, including contacting prospective contractors directly. Announcements will include:

- 2.2.1.1. A description of the proposed project;
- 2.2.1.2. The scope of the services required;
- 2.2.1.3. The project completion dates;
- 2.2.1.4. A description of special requirements;
- 2.2.1.5. When and where the application may be obtained and to whom it must be returned;
- 2.2.1.6. The closing date; and
- 2.2.1.7. Other necessary information.

2.2.2. Application. Applications will include a statement that describes the prospective contractor's credentials, performance data, examples of previous work product or other information sufficient to establish contractor's qualification for the project, references, and other information identified by the City as necessary to make its selection.

2.2.3. Initial screening. The City Manager will evaluate the qualifications of all applicants and select a prospective contractor or prospective contractors whose application demonstrates that the contractor is best qualified to meet the City's needs.

2.2.4. Final selection. The City Manager will interview the finalist(s) selected from the initial screening. At the City Manager's discretion, the interviews may be conducted before the Board.

- 2.2.4.1. After the interview process concludes, the City Manager will make the final selection. If the interviews are conducted before the Board, the Board will make the final selection.
- 2.2.4.2. The final selection will be based upon applicant capability, experience, project approach, compensation requirements, references and any other criteria identified by the City as necessary for the City to select a contractor.

2.3. **Informal Selection.** The following informal selection procedure may be used when the estimated payment to the personal services contractor is under \$250,000 or when the City Manager determines that the informal procedures will not interfere with competition among prospective contractors, reduce the quality of services or increase costs. The City Manager will contact a minimum of three prospective contractors qualified to offer the services sought. The City Manager will request an estimated fee and make the selection consistent with the City's best interests. If three quotes are not received, the City Manager will make a written record of efforts to obtain the quotes.

2.4. **Direct Negotiations.** The City Manager may enter personal service contracts not exceeding an estimated \$175,000 without following the procedures under subsection (2.2) or (2.3), so long as the work is within a budgetary appropriation or approved by the City Council.

2.5. The City Manager may select a contractor without following any procedures when conditions require immediate action to protect life or property. In such instances, the City Manager must make written declarations of the circumstances that justify the emergency appointments.

3. Authority to electronically advertise solicitations for goods and services

3.1. The City Manager is authorized to develop an "electronic procurement system" in accordance with OAR 137-047-0300(2)(b). As described in OAR 137-046-0110(15), this is an information system accessible through the internet that allows the City to post electronic advertisements and receive electronic offers for goods and services. When an electronic procurement system is in place, the Model Rules allow procurement solicitations to be advertised exclusively on the internet. This saves the City time and money over newspaper advertisements.

3.2. Prior to any development of an electronic procurement system, the City may advertise solicitations for goods and services on the internet in addition to newspaper advertisements.

4. Authority to electronically advertise solicitations for public improvements

4.1. For all public improvement contracts with an estimated cost not exceeding \$250,000, the City Manager may electronically advertise solicitations in a manner deemed appropriate. This method of advertising will save the City time and money, may be used exclusively, and is allowed under ORS 279C.360(1).

4.2. An advertisement for a public improvement contract with an estimated cost over \$250,000 must be published at least once in a trade newspaper of general statewide circulation, such as the Daily Journal of Commerce.

5. Small procurements

5.1. As provided by ORS 279B.065, any procurement of goods or services not exceeding \$25,000 may be awarded in any manner the City Manager finds practical or convenient, including direct selection or award.

5.2. A procurement may not be artificially divided or fragmented to qualify for this section.

6. Sole-source procurements

6.1. Pursuant to ORS 279B.075(1), the City Manager is authorized to declare in writing certain goods and services to be available from only one source.

6.2. The determination of a sole-source must be based on findings required by ORS 279B.075(2), and otherwise be processed in accordance with OAR 137-047-0275.

SECTION 2. EFFECTIVE DATE, SEVERABILITY, AND REPEAL

1. This Resolution is effective upon passage by the City Council and signature by the Mayor.

2. The sections, subsections, paragraphs and clauses of this resolution are severable. The invalidity of one section, subsection, paragraph, or clause does not affect the validity of the remaining sections, subsections, paragraphs, or clauses.

3. Resolution Numbers 2005-03, 2023-03, and all other Public Contracting Resolutions are repealed upon this resolution becoming effective.

Signed this 13th day of November 2024.

Scott Keyser, Mayor

ATTEST:

Christie Teets, CMC
City Recorder



CITY OF MOLALLA

Staff Report

Agenda Category: GENERAL BUSINESS

Agenda Date: Wednesday, November 13, 2024

Submitted by: Dan Huff, City Manager

Approved by: Dan Huff, City Manager

SUBJECT: Molalla River School District - Negotiation Update (Huff)